

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/756,050	NISHIOKA, YOICHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Bernard E Souw	2881	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/03/2005.
2. ☒ The allowed claim(s) is/are 1,4-9 and 12-20.
3. ☒ The drawings filed on 12 January 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>01/03/05+05/13/04</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material  | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

## DETAILED ACTION

### ***EXAMINER'S AMENDMENT***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment has been given during a phone conversation with applicant's attorney, Mr. Jeffrey M. Sakoi, Reg. No. 32,059, on January 31, 2005.

#### **In the (amended) claims:**

► In claim 1, line 2, after "*a control unit*," prior to "*and*", insert **--a proximity sensor for detecting proximity of a user,--**.

### ***Information Disclosure Statement***

2. The information disclosure statement submitted on 01/03/2005 was filed after the mailing date of the first Office Action on 10/05/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

***Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), (JP-2001-212391), which papers have been placed of record in the file.

***Applicant's Amendment***

4. The Amendment filed 01/03/2005 has been entered. The present Office Action is made with all the arguments being fully considered.

Claims 2, 3, 10 and 11 have been cancelled.

New claims 19 and 20 have been added.

Claims 1, 4-9 and 12-20 are pending in this office action.

***§ 112 Rejection Withdrawn***

5. The claims having been properly amended by incorporating specific limitations that have been identified as allowable by the Examiner, the previous claim rejections of independent claims 1, 4 and 9 are now withdrawn.

***ALLOWANCE***

6. Claims 1, 4-9 and 12-20 are allowed.

The claims are subsequently renumbered to claims 1-16.

***Reasons for Allowance***

7. The following is an examiner's statement of reasons for allowance:

A water purifying apparatus for purifying water sent to a faucet comprising an ultraviolet (UV) light generator, a control unit and a detection means for outputting a signal telling the control unit whether or not the faucet is in a used state, the detection means comprising a movable member capable of moving in accordance with the water flow and a detector for detecting the water movement of the movable member, and a proximity sensor for detecting a proximity of a user, as recited in claims 1 and 4, is neither anticipated nor rendered obvious by any prior art.

Claim 9 is allowed for reciting a water purifying apparatus comprising a main body and a UV generator, further equipped with a water passage that has a curving part in which vicinity the UV generator is arranged, the water passage becomes narrow downstream midway from the gap, since such a gap constituting part of the water passage a design feature is a specific design choice that normally would neither be duplicated nor obviated by other inventors or manufacturers.

Claims 5-8 and 12-20 are also allowed because of its/their dependencies, either directly or indirectly, upon claims 1, 4 or 9.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Relevant Prior Art***

9. This prior art made of record and not relied upon is considered pertinent to applicant's disclosure: USPAT # 5,089,144, issued on 02/18/1992 to Ozkahyaoglu et al., is found to claim the same subject matter of the disclosure, i.e., a fluid filtering system using UV light that is also equipped with a movable member capable of moving in accordance with the water flow and a detector for detecting the water movement of the movable member. However, Ozkahyaoglu's system does not have a proximity sensor for detecting a proximity of a user, which --for example-- would be able to distinguish a malfunction of the faucet from an intentional use of the water.

***Communications***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernard E Souw whose telephone number is 571 272 2482. The examiner can normally be reached on Monday thru Friday, 9:00 am to 5:00 pm..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R Lee can be reached on 571 272 2477. The central fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for regular communications as well as for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0956.

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